

**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

February 9, 2021

City of San José
200 E. Santa Clara Street
San José, CA 95113
408-535-6872

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of San José.

REQUEST FOR RELEASE OF FUNDS

The Santa Clara County Housing Authority (SCCHA) has committed Section 8 housing assistance for the project in the form of Project Based Vouchers (PBVs) for 35 apartment units, as authorized under Section 8 of the Housing Act of 1937, as amended. PBV housing assistance would be provided for an initial contract term of 20 years, with a possible automatic renewal of an additional 20 years, subject to annual appropriations from the federal government and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment contract and other applicable HUD requirements, for a total of forty (40) years. The estimated total funding for rental subsidy committed is \$23,629,200 (\$1,181,460 annually) for the initial 20-year term of the Housing Assistance Payment contract and contingent upon the availability of Section 8 funds as allocated by the federal government. Please note that the actual amount may be up to \$5,000,000 more to account for market changes. The total estimated project cost including non-HUD funds is \$90,600,000.

The project site is constructed with two single-family residences and an accessory structure, totaling approximately 19,676 square feet. The single-family residences are currently vacant. Vehicular access to the project site is provided via four driveways off Meridian Avenue. The project site is bounded by single-family residences to the north, Meridian Avenue to the east, a Montessori school (currently under construction) to the south, and multi-family residences to the west.

As proposed, the project would demolish the existing structures on-site and construct a six-story, 233-unit residential building with approximately 1,780 square feet of retail (refer to Figure 4). The proposed retail would be located along Meridian Avenue. In addition, a community room, gym, and computer room is proposed on the ground floor. Two courtyards would be located on the second floor. The project would have a maximum building height of approximately 80 feet.

The project proposes one level of below-grade parking and one level of above-grade parking which would consist of 290 parking spaces. Of the 290 parking spaces, 273 would be for residences, eight would be for retail parking, and the remaining nine are for electrical vehicles (EV). Additionally, the project proposes 63 bicycle parking spaces (26 short-term spaces and 37 long-term spaces). There are a total of four existing driveways off Meridian Avenue. The project would retain one driveway (on

the northernmost portion of the site) and the remaining three would be removed. A new driveway is proposed on the southern portion of the site which would serve as the primary access. The driveway being retained would serve as a secondary fire truck access.

The proposed project is designated NCC – Neighborhood/Community Commercial under the General Plan and is zoned R-M – Residence District (Multiple Unit/Lot). The project would be required to be built in accordance with the California Building Code (CALGreen) requirements which includes design provisions intended to minimize wasteful energy consumption. The proposed development would be constructed in compliance with the City’s Council Policy 6-32 and the City’s Green Building Ordinance.

FINDING OF NO SIGNIFICANT IMPACT

The City of San José has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) available online at www.sanjoseca.gov/activeeirs. To review hard copies of the documents, please contact Reema Mahamood at reema.mahamood@sanjoseca.gov or at 408-535-6872.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to Reema Mahamood, City of San José, Department of Planning, Building and Code Enforcement, T-3, 200 E. Santa Clara Street, San José, CA 95113, or via email at reema.mahamood@sanjoseca.gov. All comments received by **5:00 p.m. March 5, 2021** will be considered by the City of San José prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of San José certifies to HUD that Rosalynn Hughey in her capacity as Director of Planning, Building and Code Enforcement for the City of San José consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD’s approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the name of grant recipient to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of fund and the City of San José certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of San José; (b) the City of San José has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d)

another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Department of Housing and Urban Development, Office of Public Housing, and sent to the following email address RROFSFRO@hud.gov and todd.r.greene@hud.gov. Potential objectors should contact HUD to verify the actual last day of the objection period.



2/9/21

Rosalynn Hughey, Director
Planning, Building and Code Enforcement
City of San José